

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

05-1099  
(Serial No. 09/440,149)

**SOLICITOR**

FEB 07 2005

U.S. PATENT & TRADEMARK OFFICE

IN RE ALVIN L. NEELEY

**ORDER**

NOTE: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public record.

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U.S. PATENT & T

## ORDER

The parties having so agreed, it is

ORDERED that the proceeding is DISMISSED under Fed. R. App. P. 42 (b).

FOR THE COURT,

  
Jan Horbaly  
Clerk

02/02/05

cc: Clerk's Office, PTO  
ROBERT B. HUGHES  
JOHN M. WHEALAN

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

FEB - 2 2005

**JAN HORBALY**  
**CLERK**

ISSUED AS A MANDATE: 02/02/05

IN RE NEELEY, O5-1099  
PTO - 09/440,149